

Serial No. 10/699,459
Amendment dated May 18, 2007
In reply of Notice of Non-Complaint Amendment dated April 18,
2007

REMARKS

The Notice of Non-Complaint Amendment dated April 18, 2007,
has been received and its contents carefully noted.

In view of the foregoing amendments, and following
representations, reconsideration and allowance are respectfully
requested.

Examiner Whaley is thanked for the courtesies extended
undersigned counsel during the telephone interview of May 18,
2007, in which the Examiner and the undersigned discussed the
outputting or displaying of the result to the user, in order to
reduce the likelihood of issues being raised under 35 USC 101.
The Examiner withheld a final decision regarding 35 USC 101
until after a written amendment had been filed.

Examiners Whaley and is likewise thanked for the courtesies
extended undersigned counsel during the telephone interview of
July 13, 2006.

During that interview, Examiner Whaley and the undersigned
discussed the Applicant's and Patent Office's position regarding
the manner in which 35 U.S.C. 101 enablement issues should be
construed under current Patent Office policies, guidelines, and
current rules and laws. Possible steps to take in order to

Serial No. 10/699,459
Amendment dated May 18, 2007
In reply of Notice of Non-Complaint Amendment dated April 18,
2007

overcome both the 35 U.S.C. 101 and the 35 U.S.C. 112
rejections were likewise discussed. No final agreement as to
patentability was reached.

As to the Examiner's objection to the Abstract on page
2 of the Office Action, such is not understood, as the Abstract
as filed has about 110 words, which is well below the 150 word
official limit which the Examiner says Applicant's Abstract
exceeds.

Thus, the Examiner is requested to reconsider the Abstract,
as filed, and withdraw the objection to the Abstract.

As to the rejection of the claims under 35 USC Section 101,
each of amended claims 1 and 2 is directed to statutory subject
matter, satisfies the requirements of 35 U.S.C. Section 101, is
consistent with current Patent Office guidelines set forth in
M.P..E.P. Section 2106, and is submitted to overcome the
rejection.

As to the rejection of the claims under 35 USC Section 112,
2nd paragraph, amended claims 1 and 2 each satisfies the
requirements, and the rejection is submitted to be moot.

Serial No. 10/699,459

Amendment dated May 18, 2007

In reply of Notice of Non-Complaint Amendment dated April 18, 2007

As to the rejection of claim 1 under 35 USC Section 102, amended claim 1 incorporates the subject matter of cancelled claim 3, and adds additional particularly claimed features of applicant's invention, for example, and the rejection is submitted to be moot.

As to the rejection of some of the claims under 35 USC Section 103 on the basis of Hahn et al. (hereinafter Hahn) modified in view of Bretthorst et al. (hereinafter Bretthorst) claim 1 has been amended to still further define thereover, and the rejection is submitted to be overcome, and, indeed, moot.

New claims 12-15 likewise define over the prior art of record.

In sum, as the rejection to the Abstract as exceeding 150 words is believed to be in error, and Applicant has amended the claims, and amended the claims to define over the rejections under 35 USC 101, Section 112, Section 102, and Section 103, it is believed that all issues have been addressed.

Undersigned counsel looks forward to arranging a personal interview with the Patent Examiner after these issues have been considered, and before an Office Action is sent out, unless the official action is a Notice of Allowance.

Serial No. 10/699,459
Amendment dated May 18, 2007
In reply of Notice of Non-Complaint Amendment dated April 18,
2007

It is believed that no fee is due. Should that
determination be incorrect, the Patent Examiner is hereby
authorized to charge any deficiencies to our Deposit Account No.
19-2105 and to notify undersigned counsel in due course.

Should any outstanding formal matters or other issues
remain, please telephone Terrence Brown at 703-684-5600 to
resolve such.

Respectfully submitted,

Date:

May 18, 2007

By:



Terrence L.B. Brown
Attorney for Applicant
Reg. No. 32,685

SHLESINGER, ARKWRIGHT & GARVEY LLP
1420 King Street, Suite 600
Alexandria, Virginia 22314
(703) 684-5600
sb

Serial No. 10/699,459

Amendment dated May 18, 2007

In reply of Notice of Non-Complaint Amendment dated April 18, 2007

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to 571-273-8300 (Patents) / 571-273-9103 (Trademarks)

on May 18, 2007
Date

X D. Stacy

Signature

X D. STACY

Typed or printed name of person signing certificate

703-684-5600
Telephone Number